



**SENATE AMENDMENT 4,
TO SENATE SUBSTITUTE AMENDMENT 3,
TO 2009 SENATE BILL 25**

April 13, 2010 – Offered by Senator Grothman.

*** AUTHORS SUBJECT TO CHANGE ***

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 9: delete “45” and substitute “60”.

3 **2.** Page 3, line 6: after that line insert:

4 “(1r) A person who satisfies all of the following may, no later than 45 days after
5 a complaint objecting to the use of an American Indian nickname, logo, mascot, or
6 team name is filed under sub. (1), submit to the state superintendent a written
7 declaration in support of the school board’s use of the American Indian nickname,
8 logo, mascot, or team name that is the subject of the complaint:

9 (a) The person is a member of the American Indian tribe referred to, depicted,
10 portrayed, or named in the nickname, logo, mascot, or team name used by the school
11 board.

12 (b) The person is a school district resident.

(c) The person indicates in the written declaration that he or she does not believe that the school board's use of the nickname, logo, mascot, or team name promotes discrimination, pupil harassment, or stereotyping, as defined by the state superintendent by rule.”.

3. Page 3, line 7: delete “par. (b)” and substitute “pars. (b) and (c)”.

4. Page 3, line 25: after that line insert:

“(c) If the state superintendent receives a written declaration as provided under sub. (1r) from a person who satisfies the requirements of that subsection, at the hearing, the school district resident who filed the complaint under sub. (1) has the burden of proving by clear and convincing evidence that the use of the nickname, logo, mascot, or team name promotes discrimination, pupil harassment, or stereotyping, as defined by the state superintendent by rule.”.

(END)